

House Engrossed Senate Bill

FILED

KEN BENNETT

SECRETARY OF STATE

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

CHAPTER 270

SENATE BILL 1169

AN ACT

AMENDING SECTIONS 31-203 AND 31-204, ARIZONA REVISED STATUTES; RELATING TO
THE STATE DEPARTMENT OF CORRECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 31-203, Arizona Revised Statutes, is amended to
3 read:

4 31-203. Persons disqualified as officers or employees

5 No person shall be appointed to any office or be employed by the
6 department on behalf of the state who:

7 1. Is a contractor ~~or an agent or employee of a contractor~~ FOR THE
8 DEPARTMENT, EXCEPT PURSUANT TO SECTION 31-204.

9 2. Is interested, directly or indirectly, in any business carried on
10 in connection with the department, EXCEPT PURSUANT TO SECTION 31-204.

11 3. Is found intoxicated while on duty. A single act of intoxication
12 shall justify discharge or removal.

13 Sec. 2. Section 31-204, Arizona Revised Statutes, is amended to read:

14 31-204. Interest of employee in contracts; gifts to or from
15 prisoner; penalty

16 A. An officer or employee shall not:—

17 ~~1. Be interested~~ HAVE ANY MONETARY INTEREST in any contract or
18 purchase made by anyone for or on behalf of the department, or receive,
19 directly or indirectly, compensation for services ~~other than prescribed~~
20 UNLESS APPROVED by the director.

21 ~~2. Receive any compensation whatever for any act or service the~~
22 ~~officer or employee performs for or on behalf of a contractor, or an agent or~~
23 ~~employee of a contractor.~~

24 B. An officer or employee of the department, ~~or a contractor,~~ or an
25 agent or employee of a contractor, without written permission of the warden,
26 deputy warden or prison administrator, shall not make a gift or present to or
27 receive a gift or present from a prisoner, or barter or deal with a prisoner.

28 C. THIS SECTION DOES NOT PROHIBIT AN OFFICER OR EMPLOYEE OF THE
29 DEPARTMENT FROM MAINTAINING SECONDARY EMPLOYMENT IN:

30 1. ANY CORRECTIONAL FACILITY THAT IS NOT WITHIN THE PERSON'S PRIMARY
31 EMPLOYMENT.

32 2. ANY INSTITUTION OF HIGHER LEARNING AS AN ADJUNCT FACULTY MEMBER.

33 ~~E.~~ D. Any person violating this section shall be discharged from
34 office or service, and every contractor, or employee or agent of a
35 contractor, shall not be permitted to act or serve again as such contractor,
36 agent or employee.

37 Sec. 3. Emergency

38 This act is an emergency measure that is necessary to preserve the
39 public peace, health or safety and is operative immediately as provided by
40 law.

APPROVED BY THE GOVERNOR MAY 7, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 7, 2010.